

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 4 and 11 are cancelled. Claims 1, 9 and 15 are amended. Claims 1-3, 5-10 and 12-15 are pending.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because: the amendments were not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed; and the amendment does not significantly alter the scope of the claim and places the application at least into a better form for purposes of appeal.

The Manual of Patent Examining Procedures (M.P.E.P.) sets forth in Section 714.12 that “any amendment that would place the case either in condition for allowance or in better form for appeal may be entered.” Moreover, Section 714.13 sets forth that “the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified.” The M.P.E.P. further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

I. Rejection under 35 U.S.C. § 103

In the Office Action, at page 7, numbered paragraph 17, claims 1, 2, 5, and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0145336 to Matsuzaki et al. in view of U.S. Patent No. 6,601,104 to Fallon, further in view of U.S. Patent No. 6,865,431 to Hirota et al., further in view of U.S. Patent No. 7,035,290 to Lyle. This rejection is respectfully traversed because the combination of the teachings of Matsuzaki, Fallon, Hirota, and Lyle does not suggest

a computer body, comprising...

a video memory to temporarily store the video data generated through the video processing part and the user data stored in the hard disk,

a data transmitting part to output the video data and the user data temporarily stored in the video memory through the video connector; and

a display apparatus, comprising:

an external apparatus connecting part to connect to an external storage apparatus,

a data receiving part to receive the video data and the user data provided from the computer body through the body connection part,

a control part to display the video data received through the data receiving part to the display part and to output the user data to the external storage apparatus connected to the external apparatus connecting part, the control part including a signal separating part to separate digital data extracted in the data receiver into the video data and the user data,

as recited in amended independent claim 1.

Matsuzaki does not suggest the use of an external apparatus connecting part to connect to an external apparatus. The Examiner points out that Lyle is used to teach that user data is output to external apparatuses such as MP3 players. However, the Applicant draws the Examiner's attention to the Examiner's own recitation, at page 7 of the Office Action, that only Matsuzaki discloses an external apparatus connecting part. While the Examiner is correct in clarifying that the Examiner utilized Lyle in discussing an external apparatus, the Examiner still fails to address either that (1) Matsuzaki discloses an external apparatus connecting part of a display apparatus or (2) Lyle discloses an external apparatus connecting part of a display apparatus.

Matsuzaki discusses that a CRT display device 30 includes internal speakers 305. However, Matsuzaki does not suggest that the CRT display device 30 includes an external apparatus connecting part that connects to an external apparatus to supply user data to the external apparatus.

Lyle discusses a communication system including a transmitter, a receiver and a serial link, where the transmitter is a set-top box, a DVD disk player, etc. and the receiver is a TV set, a portable MP3 player, a printer, etc. However, neither the transmitter 113 nor the receiver 115 is an external apparatus connecting part of a display apparatus that is able to output user data to an external apparatus. Lyle discusses only transmitting data to an external apparatus, but does not indicate that the transmitter 113, which presumably connects to the external apparatus (alleged by the Examiner to correspond to an MP3 player, for example), is an external apparatus connecting part of a display apparatus. While the receiver 115 can be a display apparatus, the Examiner is not alleging that the receiver 115 provides the external apparatus connecting part to connect to an external apparatus. The receiver 115 is the external apparatus. As Lyle is

not directed to a display apparatus that itself is able to transmit user data to an external storage apparatus, Lyle fails to disclose an external apparatus connecting part of a display apparatus to connect to an external storage apparatus and provide the external storage apparatus with user data.

The Examiner uses two separate, entirely unrelated references in alleging that the references teach a video memory to temporarily store video data generated through a video processing part and user data stored in a hard disk and a data transmitting part to output the video data and the user data temporarily stored in the video memory. While Fallon discusses outputting display data to a display device, and Hirota discusses a playback apparatus that includes a CPU 10, a RAM 3, an LCD 5 and a user interface unit 2, where the playback apparatus may be connected to a flash memory card 31, the Examiner fails to cite a motivation to suggest why both the user data and the video data are transmitted from a computer body to a display apparatus to be output to a display part of the display apparatus and an external apparatus connected to the display apparatus. There is no indication at all as to why both types of data would be transmitted to a display apparatus together.

In addition, Hirota only discusses a playback apparatus that includes an internal CPU 10, an internal RAM 3 and an internal LCD 5. The playback apparatus of Hirota is not a computer system that includes a computer body that is connected, through a video connector, to a display apparatus through a body connection part. The playback apparatus merely has a CPU 10 and an LCD 5 that are both part of the same device. The CPU 10 is not a separate computer body, which includes a video connector to transmit data, and the LCD 5 is not separate from the CPU 10 and does not include a body connection part to connect to a video connector of the CPU 10.

Even if the Examiner does not rely on Hirota to disclose the features of a computer body that includes a video connector and a display apparatus that includes a body connection part to connect to the video connector of the computer body, the Examiner is required, in establishing a *prima facie* case of obviousness, to disclose the reason or motivation to combine the references, such that the combination of the references would have read on the claims. Here, the Examiner uses a system including a computer body and a display device of Matsuzaki, where the devices are separate from one another, uses a playback device that includes a CPU 10 and an LCD 5 that are both elements of the same device, uses a transmitter/receiver combination, where the transmitter is a DVD player, for example, and the receiver is a TV set, for example, and uses a method for data storage, all together to allege various features of independent claim 1. Specific to Hirota, there is no indication as to user data being transmitted from a computer

body that includes at least a video connector to a display apparatus and then the display apparatus transmitting the user data to an external apparatus. In Hirota, the user data (i.e., playlist) that is stored in the flash memory card 31 is shown on the LCD panel 5 or video can be played on the LCD panel 5. However, Hirota does not suggest that user data is transmitted from a video memory to a display apparatus and then provided from the display apparatus to an external apparatus. Hirota does not discuss that the flash memory card is a video memory of a computer body that stores user data, and does not suggest that the user data that is input to the LCD apparatus 5 is output to an external apparatus connected to the display apparatus.

The Examiner appears to utilize Lyle in alleging that Matsuzaki, Fallon, Hirota and Lyle should all be combined to suggest the features of independent claim 1. However, while Lyle discusses receiving data at the receiver 113, Lyle does not suggest that the receiver 113 is a data receiving part of a display apparatus and does not suggest that user data is received by a receiving part and then transmitted to an external apparatus connected to the display apparatus through an external apparatus connecting part. Lyle discusses that the receiver 113 can be, for example, an MP3 player, but not that user data is transmitted from a computer body to a display apparatus and then from the display apparatus to an external apparatus.

The Examiner alleges that Matsuzaki discloses a control part 302, 304 that displays video data to a display part and outputs data (not user data) to an external apparatus connected to an external apparatus connecting part. The display control unit 302 and the speaker control unit 304 are not a control part that outputs user data to an external apparatus connected to an external apparatus connecting part. Further, the Examiner appears to suggest that Lyle makes up for this deficiency. Again, Lyle does not suggest that user data is output from a control unit of a display device to an external apparatus. Additionally, the motivation cited does not suggest why the display control unit 302 and the speaker control unit 304 would be modified to provide video data to a display part and user data to an external apparatus. The Examiner alleges that Lyle should be incorporated into the system of Matsuzaki/Fallon/Hirota so that user data is output to an external storage apparatus because Lyle teaches external apparatuses (MP3 players, etc.) need to receive user data in order for user to be able to use user data to control programs. However, the Examiner has failed to establish why a control unit in a display apparatus would provide video data and additionally provide user data to an external apparatus. There is no indication from the cited motivation as to why or how a control unit would display video data and output user data to an external apparatus, particularly because Lyle

discusses only receiving data at a receiver, but does not discuss or suggest receiving user data and then outputting the user data to an external apparatus connected to the receiver. Further, the receiver is not a receiving part of a display apparatus.

Thus, it is entirely unclear as to how Matsuzaki, Fallon, Hirota and Lyle are able to be combined to suggest all the features of independent claim 1.

In addition, the combination of the teachings of Matsuzaki, Fallon, Hirota and Lyle does not suggest a control part of a display apparatus that includes a signal separating part to separate digital data extracted in the data receiver of the display apparatus into video data and user data. The display control unit 302 and the speaker control unit 304 do not include a signal separating part to separate digital data extracted in the data receiver into video data and into user data.

Therefore, as the combination of the teachings of Matsuzaki, Fallon, Hirota and Lyle does not suggest "a computer body, comprising...a video memory to temporarily store the video data generated through the video processing part and the user data stored in the hard disk, a data transmitting part to output the video data and the user data temporarily stored in the video memory through the video connector; and a display apparatus, comprising: an external apparatus connecting part to connect to an external storage apparatus, a data receiving part to receive the video data and the user data provided from the computer body through the body connection part, a control part to display the video data received through the data receiving part to the display part and to output the user data to the external storage apparatus connected to the external apparatus connecting part, the control part including a signal separating part to separate digital data extracted in the data receiver into the video data and the user data," as recited in amended independent claim 1, claim 1 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 2, 5 and 6 depend either directly or indirectly from independent claim 1 and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 5 recites that "the display apparatus has a buffer temporarily storing the user data received through the data receiving part." Therefore, claims 2, 5 and 6 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In the Office Action, at pages 10-13, numbered paragraph 22-25, claims 3, 4, 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over various combinations of Matsuzaki, Fallon, Hirota, Lyle, U.S. Patent No. 5,982,459 to Fandrianto, U.S. Patent No.

6,593,972 to Johnson, U.S. Patent No. 5,621,792 to Charton and U.S. Patent No. 6,939,177 to Kato. These rejections are respectfully traversed.

As discussed above with respect to independent claim 1, the combination of the teachings of Matsuzaki, Fallon, Hirota, and Lyle does not suggest all the features of independent claim 1. Fandrianto, Johnson, Charton and Kato fail to make up for the deficiencies in the combination of the teachings of Matsuzaki, Fallon, Hirota, and Lyle. Also, the motivations cited do not suggest combining the references. Therefore, independent claim 1 patentably distinguishes over the references relied upon.

Claim 4 is cancelled. However, Johnson discusses only the use of a data decoder that separates a digital data stream from a video output signal. Johnson does not suggest that the data decoder is a signal separating part of a control part of a display apparatus that separates extracted digital data into video data and user data. Further, the cited motivation does not suggest separating digital data into video data and user data such that the user data is able to be output to an external apparatus connected to the display apparatus.

Claims 3, 7, and 8 depend either directly or indirectly from independent claim 1 and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 7 recites that "computer body further comprises a parallel-serial converting part to convert the user data to serial data, wherein the user data is parallel data." Therefore, claims 3, 7, and 8 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

In the Office Action, at page 13, numbered paragraph 26, claims 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matsuzaki, in view of Lyle, further in view of Hirota. This rejection is respectfully traversed because the combination of the teachings of Matsuzaki, Lyle, and Hirota does not suggest:

providing an external apparatus connecting part in the display apparatus; transmitting data to the display apparatus through the video connector; extracting the data and separating the data transmitted to the display apparatus into the video data and the user data; and displaying the video data of a transmitted data as a picture and outputting the user data of the transmitted data to an external storage apparatus connected to the external apparatus connecting part,

as recited in amended independent claim 9. As discussed above, Lyle does not suggest outputting user data that was separated from video data at a display apparatus to an external

storage apparatus. Therefore, claim 9 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claim 10 depends directly from independent claim 9 and includes all the features of independent claim 9, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 10 recites "compressing the user data and the video data according to a TMD5-based digital data transmission standard, before transmitting the data from the computer body to the display apparatus." Therefore, claim 10 patentably distinguishes over the references relied for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In the Office Action, at pages 13-14, numbered paragraphs 29-31, claims 11, 12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over various combinations of Matsuzaki, Lyle, Hirota, Johnson, Charton and Kato. Claim 11 is cancelled. These rejections are respectfully traversed.

As discussed above with respect to independent claim 9, the combination of Matsuzaki and Lyle fails to discuss all the features of independent claim 9. Johnson, Charton, and Kato fail to make up for the deficiencies in Matsuzaki and Lyle. Therefore, independent claim 9 patentably distinguishes over the references relied upon. Claims 12, and 14 depend either directly or indirectly from independent claim 9 and include all the features of claim 9, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 14 recites "converting the user data to serial data, wherein the data that is transmitted is the video data and the serial data." Therefore, claims 12 and 14 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In the Office Action, at page 15, numbered paragraph 32, claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Matsuzaki, in view of Hirota. This rejection is respectfully traversed because the combination of the teachings of Matsuzaki and Hirota does not suggest:

a processing unit including a video processor to generate video data, a storage unit to store user data, and a data transmitter to transmit the video data and the user data; an external storage unit to store the user data; and a display unit, which is connected to the processing unit via a video connector, and which is connected to the external storage unit via an external storage unit connector, to separate compressed digital data into the video data and the user data to display the video data and to transmit the user data to the external storage unit,

as recited in amended independent claim 15. Lyle does not suggest user data being transmitted to an external storage unit from a display apparatus. Therefore, claim 15 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Conclusion

In accordance with the foregoing, claims 4 and 11 have been cancelled. Claims 1, 9 and 15 have been amended. Claims 1-3, 5-10 and 12-15 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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